

BOUNDRY OF TEXAS.

SPEECH

OF

HON. W. A. GORMAN, OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES, FRIDAY, AUGUST 30, 1850,

On the Texas Boundary Bill and Slavery agitation.

The House having resumed the consideration of the Senate bill respecting the boundary of Texas, and of the amendments pending thereto,

Mr. GORMAN said:

Mr. SPEAKER: It is on account of the geographical position I occupy as a Representative, in reference to this question now before the House, as much as for any other reason, that I desire to occupy the attention of the House for a short time. I do so, sir, for the reason that I, in part, represent the Northwest. The Representatives of that section of the Union have nearly with one mind, and one heart, devoted themselves, for the last eight or nine months, to settle, by some fair, just, and honorable means, the vexed questions arising out of the subject of African slavery, as it relates to the new Territories acquired from Mexico under the late treaty of Guadalupe Hidalgo. I have, sir, since the commencement of this session of Congress, never let one day pass over, that I did not urge harmony and compromise as the best means of giving peace to the country, and perpetuity to the Union of these States.

I have been laboring, sir, for what I honestly believed to be for the welfare of my country. And, sir, if I know my own heart, I love my country better than I do any party, by whatever name it may be called.

The considerations involved in this bill to settle the Texas boundary question, are pregnant with good or evil—with peace, or with probable civil war, between the General Government and one of the sister States.

If prudent counsels prevail, all may yet be well. If compromise, concession, and patriotism, prevail, all will be well. But if heated sectional strife be kept up; if crimination and recrimination is to be the order of the day; if a disposition to widen the sectional breach, is to be nursed and fanned into a greater flame—then, indeed, “discord will reign triumphant.”

Sir, I am happy to congratulate my honorable friend from New York, [Mr. Brooks,] upon his noble self-sacrificing and patriotic speech made on yesterday. It was the outpouring of patriotism, and was highly creditable to his head and heart. He frankly told the country, that he was no longer for the Wilmot proviso—that he was a convert to the doctrine of non-intervention. The honorable gentleman from Ohio [Mr. Root] had introduced this old firebrand of discord, the Wilmot proviso, and called for the yeas and nays; saying that he did it “to smoke out the doughfaces.”

In the language of my friend from New York, [Mr. Brooks,] I am one, who is ready now, and forever, “to face the music.” I am one who dare to stand by the Constitution and the Union, un-

awed by any vote that I may be called upon to give. I will, with the greatest cheerfulness, march up and “face the music,” even under the command of this “Free-Soil” Captain, [Mr. Root.] I am one who dare to do what I honestly believe to be right, on this or any other question that may come up for the action of this House. No threat shall awe, or power deter me, from standing by the Constitution as it is.

The bill now under consideration proposes to the State of Texas, that if she will reduce her boundaries to the line prescribed therein, that in consideration thereof this Government will pay, or cause to be paid to her, the sum of ten million dollars. And, Mr. Speaker, I am one who has always believed, that since the war with Mexico, and since the treaty of peace, whatever doubt there was as to the validity of the Texan title to all the territory east of the Rio Grande, it has been confirmed by the act of our Government; that this Government has, by and through every department except the Supreme Court, either directly or indirectly, acknowledged the title in Texas good, to all intents and purposes. I did not intend when I commenced these remarks to take the time of the House, in tracing the evidences of title in Texas. But I will briefly review the course of events, to show, that whatever we may have thought of her title before the war, that since, it is not in our power to gainsay its validity.

The history of the annexation is briefly this: Texas first made a proposition to be admitted into the Union, but before any material action was had thereon, her application was formally withdrawn. The next movement for annexation was made by the United States; and the resolutions of annexation were in fact an offer on our part to Texas; and, in the language of my friend from Kentucky, [Colonel MARSHALL,] “the United States courted Texas, as an ardent lover woos his mistress.” Mr. Buchanan, the 28th September, 1845, says to Mr. Donelson :

“Under these circumstances, I need scarcely urge you to press for immediate action. The executive government of Texas ought to be appealed to in the strongest terms for a prompt decision. Delay may result in defeat; and yet I can feel but little apprehension that the sovereign people of Texas—the conquerors of San Jacinto—who have breathed the air and lisped the accents of liberty from their infancy, will consent to forever abandon their free, their native land, and sink to the level of dependents on the monarchy of Great Britain.”

Again: on the 31st March, 1845, the Texan Secretary of State is addressed by Mr. Donelson, our Minister, as follows :

“It has been thought best by the President of the United States to rest the question on the joint resolution as it came from the House of Representatives, which contains propositions complete and ample, as an overture to Texas, and which,

if adopted by her, places the reunion of the two countries beyond the possibility of defeat."

It will, then, be seen, that the question of Texan boundary begins to be talked of. In Mr. Donelson's letter of June 4, 1845, he says:

"I look upon war as inevitable—a war dictated by the British minister here for the purpose of defeating annexation, and intended, at all events, to deprive both Texas and the United States of all claim to the country between the Nueces and the Rio Grande; at the time the right of Texas to the protection of the United States arises under the contingency anticipated by you at the date of your last dispatch."

The above, and all the following correspondence will show, that both Texas and the United States looked to the Rio Grande as the boundary. In Mr. Donelson's dispatch of June 2, 1845, he says:

"I adverted in my last dispatch to the presence of Commodore Stockton's squadron here, and to a rumor that he had sailed to Brazos Santiago to coöperate with General Sherman, of the Texan militia, in defending the occupation of the Rio Grande," &c.

Mr. Donelson, in his dispatch of same date to Mr. Buchanan, says:

"This Government left for treaty arrangement the boundary question in the propositions for a treaty of definitive peace. * * * It appeared to me wiser to look for some advantage from the assailing movement threatened by Mexico, than to risk the passage of such a law as Congress were disposed to pass, over the veto of the President, putting the Texas force under the command of the Major General, the effect of which would have been the immediate expulsion of all Mexican soldiers found on the east bank of the Rio Grande. If by such law the whole of the Texan claim, in respect to limits, could have been taken out of dispute, its passage would have been insisted upon; but as there would have remained all the Santa Fé region, it occurs to me well enough that the subject is left open."

But these authorities do not stop here. Our minister writes to Mr. Buchanan, under the same date, making a solemn pledge to Texas that our Government would maintain the Texan claim to the Rio Grande in good faith, as follows:

"But whilst from such views I encouraged no aggressive movements on the part of Texas to take forcible possession of the Rio Grande, I have, nevertheless, omitted no opportunity of satisfying all parties here, that the United States would, in good faith, maintain the claim, and that I had every reason to believe they would do so successfully."

Again: Mr. Buchanan writes to Mr. Slidell, Commissioner to Mexico, as follows:

"A great portion of New Mexico being on this side of the Rio Grande, and included within the limits already claimed by Texas, it may hereafter, should it remain a Mexican province, become a subject of dispute," &c.

To follow this subject still further, I now proceed to give the language of Mr. Polk, in his message of May 11, 1846, in which he says:

"Meanwhile Texas, by the final action of our Congress, had become an integral part of our Union. The Congress of Texas, by its act of December 19, 1836, had declared the Rio del Norte to be the boundary of that Republic. Its jurisdiction had been extended and exercised beyond the Nueces. The country between that river and the Del Norte had been represented in the Congress and convention of Texas, had taken part in the act of annexation itself, and is now included in one of our congressional districts. Our own Congress had, with great unanimity, by the act approved December 31, 1845; recognized the country beyond the Nueces as part of our territory, by including it within our revenue system; and a revenue officer, to reside within that district, has been appointed by and with the advice and consent of the Senate. It became, therefore, of urgent necessity to provide for the defence of this portion of our country. Accordingly, on the 13th of January last, instructions were issued to the general in command to occupy the left bank of the Del Norte. This river—which is the southwestern boundary of the State of Texas—is an exposed frontier."

* * * * *

Again: Mr. Polk on the same day, in reference to the attack of the Mexican army upon the command of Captain Thornton, says:

"But now, after reiterated menaces, Mexico has passed

the boundary of the United States, has invaded our territory, and shed American blood upon American soil. She has proclaimed that hostilities have commenced, and that the two nations are at war."

This may be said to be the mere declaration of the head of the Government. But upon the same day the Congress of the United States declared that war existed by the act of Mexico, in sending her army across the Rio Grande, and shedding American blood upon American soil, by a vote of 174 to 14. It must also be steadily borne in mind that the Texan Congress, in 1836, declared the Rio Grande to be the boundary, from its mouth to its source.

Again: Mr. Polk, in his message, holds the following language in regard to the title of Texas to the whole of the country east of the Rio Grande:

"Nothing, therefore, can be more certain than that this temporary government, resulting from necessity, can never injuriously affect the right which the President believes to be justly asserted by Texas to the whole territory on this side of the Rio Grande, whenever the Mexican claim to it shall have been extinguished by treaty. But this is a subject which more properly belongs to the legislative than the executive branch of the Government. The result of the whole is, that Texas had asserted a right to that part of New Mexico east of the Rio Grande, which is believed, under the acts of Congress for the annexation and admission of Texas into the Union as a State, and under the constitution and laws of Texas, to be well founded; but this right had never been reduced to her actual possession and occupancy. The General Government, possessing exclusively the war-making power, had the right to take military possession of this disputed territory, and, until the title to it was perfected by a treaty of peace, it was their duty to hold it, and to establish a temporary military government over it, for the preservation of the conquest itself, the safety of our army, and the security of the conquered inhabitants."

I will now show what was the opinion of the Mexican commissioners, even after the treaty was made. These commissioners, in a communication which they made to their Government, and which was published all over Mexico, declare that:

"The intention of making the Bravo a limit, has been announced by the clearest signs for the last twelve years; and it would have been impossible, at the present day, to change it. After the defeat of San Jacinto, in April, 1836, that was the territory which we stipulated to evacuate, and which we accordingly did evacuate, by falling back on Matamoros. In this place was afterward stationed what was called the Army of the North; and though it is true that expeditions and incursions have been made there, even as far as Bexar, we have very soon retreated, leaving the intermediate space absolutely free. In this state Gen. Taylor found it when, in the early part of last year, he entered there by order of his Government."

By these extracts it is made manifest to my mind that our Government intended to pledge herself to maintain the title in Texas to the whole country east of the Rio Grande. It is also manifest that our Government intended, that whatever advantages, or whatever title was procured by the war, and through a treaty of peace, that Texas should have the benefit of it. In other words, Texas was the principal and the United States Government was the agent, and the United States being the only war-making power and the only treaty-making power, undertook to perfect the Texan title. By war and a treaty of peace this was done, and now we are estopped from denying the title of Texas; and especially are we estopped from claiming title ourselves.

But the evidence of the validity of the Texan title does not stop here. The resolutions passed by the Congress of the United States annexing or proposing to annex Texas to this Government and to admit her into this Union on an equal footing with the original States, clearly shows that it was the opinion of this Government that Texas did own some territory north of 36° 30' north latitude,

or they certainly would not have put in a clause excluding slavery from all of her territory north of that line. But the resolutions speak for themselves, and the language employed is so plain and comprehensive, that they cannot and will not be misunderstood by fair men who are not chained down to a different opinion by party bonds, or so crazed with fanaticism that they cannot see, or will not understand.

This proposition was made by the United States to Texas in good faith. It was accepted by Texas in the same spirit. It was a solemn agreement, that Texas might, when she had sufficient population, form four more States out of her territory, which we solemnly agreed might be admitted into the Union, with or without slavery, if they should lie south of $36^{\circ} 30'$ north latitude. But any State that should propose to be admitted into the Union, lying north of $36^{\circ} 30'$ north latitude, it was solemnly agreed should be a free State or States, and slavery or involuntary servitude was prohibited therein except for crime. But here are the annexation resolutions:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress doth consent that the territory properly included within, and rightfully belonging to, the Republic of Texas, may be erected into a new State, to be called the State of Texas, with a republican form of government, to be adopted by the people of said Republic, by deputies in convention assembled, with the consent of the existing government, in order that the same may be admitted as one of the States of this Union."

"2. And be it further resolved, That the foregoing consent of Congress is given upon the following conditions, and with the following guarantees, to wit: First, said State to be formed subject to the adjustment by this Government of all questions of boundary that may arise with other governments; and the constitution thereof, with the proper evidence of its adoption by the people of said Republic of Texas, shall be transmitted to the President of the United States, to be laid before Congress for its final action, on or before the first day of January, one thousand eight hundred and forty-six. Second: said State, when admitted into the Union, after ceding to the United States all public edifices, fortifications, barracks, ports and harbors, navy and navy-yards, docks, magazines, arms, armaments, and all other property and means pertaining to the public defence, belonging to said Republic of Texas, shall retain all the public funds, debts, taxes, and dues of every kind, which may belong to, or be due and owing said Republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas; and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct; but in no event are said debts and liabilities to become a charge upon the Government of the United States. Third: new States of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may, hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution. And such States as may be formed out of that portion of said territory lying south of $36^{\circ} 30'$ north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union with or without slavery, as the people of each State asking admission may desire. And in such State or States as shall be formed out of said territory north of said Missouri compromise line, slavery or involuntary servitude (except for crime) shall be prohibited."

Now, sir, if Congress did not understand that they were to secure Texas a good title to some territory north of $36^{\circ} 30'$ north latitude, they could not have understood the force and meaning of the language used by them. It is plain, and admits of no rational doubt.

It will also be seen by reference to the map which accompanied the treaty of Guadalupe Hidalgo, that the line between New Mexico and Texas is distinctly laid down as being the Rio Grande, from its mouth to its source; and by reference, the map is made a part thereof. This map is now to be

seen in the archives of the Senate; and if it proves nothing more on this point, it proves what the Commissioners intended should be the line, or what they supposed it really was before the war. And as this map is referred to, and sent with the treaty to the Senate, it has acquired an official character, which furnishes another link in the chain of Texan title.

Again, sir: our country went to war with Mexico because she crossed the Rio Grande and shed American blood on American soil, as we declared, and when the territory between the Nueces and Rio Grande was as much in dispute as the Upper Rio Grande.

Therefore I say, that whether Texas had a complete title before the war with Mexico to the Upper Rio Grande or not, the acts of our Government through each of the coördinate branches, except the Supreme Court, have confirmed and completed it, and we are now precluded from denying it. It is now too late to set up title in ourselves. It is too late to oust Texas. It is too late to retrace our steps. And it would be an act of bad faith to Texas. It would be violating our solemnly pledged faith. It would be taking advantage of our own acts. It would be violating the compact of annexation; for if Texas owns one foot of territory north of $36^{\circ} 30'$ north latitude, it includes every inch of soil around, and above, and below "Santa Fé." If we have confessed upon the record that Texas owns enough to make a State north of $36^{\circ} 30'$ north latitude, it includes nearly every white settlement on the east bank of the Rio Grande.

It must be steadily borne in mind, that this Government went to war with Mexico, in part, on account of the annexation of Texas. It must be remembered that we annexed Texas as she was. We took her for "better, or for worse." We took her with her act of Congress upon the record, declaring the Rio Grande from its mouth to its source as her true boundary. We took her, believing she had the right to declare such boundary, and believing she had the power, means, and courage to maintain it as she had declared it to be. We solemnly promised that we would settle all questions of boundary for her. We did settle those boundaries. We did secure her title; and now it is too late for us to turn round and threaten Texas with the army and navy, if she attempts to maintain her rights!

But sir, I do not desire to complain of President Fillmore. I do not think it important to inquire into the abstract question whether Mr. Fillmore has a constitutional right to use force against Texas. I conceive that, in the present crisis, this abstract question of power need not be discussed. The thing to be looked to, is the alarming state of things now pending between Texas and the United States. It is known officially, that the Governor of Texas has convened the Legislature to take steps for raising troops and defending her rights, or what she conceives to be her just rights. And at this hour the troops of Texas and the troops of the United States are preparing for a conflict—the President to hold possession, and Texas to extend her laws and civil jurisdiction over her soil. And the question is presented to you, what is to be done? War or peace is the question. Not a war with a foreign foe, but with one of your weakest but gallant, faithful, and patriotic children! No national insult has been given; no pressing of your seamen or searching of your public vessels; no invasion of

your soil with a hostile army; no capturing your public vessels on the high seas. No, sir. But a gallant State of this Union—one who has shed the blood of her sons on your battle-fields, one who bore your flag to the mouth of your enemy's cannon, one who has watered the very soil now in dispute with her best blood,—it is she that the conflict is to be with. It is she that asks you to settle this question. It is your Chief Magistrate also that calls on you to save the country from the impending collision of arms.

The President of the United States has sent you a message, in which he earnestly asks you to settle all these elements of discord among brothers of a common blood and of a common country. Sir, I thank President Fillmore for this message of peace, and for his highly patriotic recommendation of harmony and settlement. It was dictated, I have no doubt, by a patriotic heart and in a patriotic spirit. I honor him for his boldness, in daring to do what is right, in defiance of faction, and in defiance of a band of reckless and mischievous abolitionists and disunionists. But, sir, I might do him injustice if I did not give his own words. He says:

"The Legislature of Texas has been called together by the Governor, for the purpose, as is understood, of maintaining her claim to the territory east of the Rio Grande, and of establishing over it her own jurisdiction and her own laws, by force.

"These proceedings of Texas may well arrest the attention of all branches of the Government of the United States, and I rejoice that they occur while the Congress is yet in session. It is, I fear, far from being impossible that, in consequence of these proceedings of Texas, a crisis may be brought on which shall summon the two Houses of Congress—and still more emphatically the Executive Government—to an immediate readiness for the performance of their respective duties.

"It is exceedingly desirable that no occasion should arise for the exercise of the powers thus vested in the President by the Constitution and the laws. With whatever mildness those powers might be executed, or however clear the case of necessity, yet consequences might nevertheless follow, of which no human sagacity can foresee either the evils or the end.

"Having thus laid before Congress the communication of his Excellency the Governor of Texas, and the answer thereto, and having made such observations as I have thought the occasion called for respecting constitutional obligations which may arise, in the further progress of things, and may devolve on me to be performed, I hope I shall not be regarded as stepping aside from the line of my duty, notwithstanding that I am aware that the subject is now before both Houses, if I express my deep and earnest conviction of the importance of an immediate decision, or arrangement, or settlement of the question of boundary between Texas and the Territory of New Mexico. All considerations of justice, general expediency, and domestic tranquillity call for this. It seems to be, in its character and by position, the first, or one of the first, of the questions growing out of the acquisition of California and New Mexico, and now requiring decision.

"No government can be established for New Mexico, either State or Territorial, until it shall be first ascertained what New Mexico is, and what are her limits and boundaries. These cannot be fixed or known, till the line of division between her and Texas shall be ascertained and established—and numerous and weighty reasons conspire, in my judgment, to show that this divisional line should be established by Congress, with the assent of the Government of Texas. In the first place, this seems by far the most prompt mode of proceeding, by which the end can be accomplished. If judicial proceedings were resorted to, such proceedings would necessarily be slow, and years would pass by, in all probability, before the controversy could be ended. So great a delay, in this case, is to be avoided if possible. Such delay would be every way inconvenient, and might be the occasion of disturbances and collisions. For the same reason, I would, with the utmost deference to the wisdom of Congress, express a doubt of the expediency of the appointment of commissioners, and of an examination, estimate, and an award of indemnity to be made by them. This would be but a species of arbitration, which might last as long as a suit at law.

"So far as I am able to comprehend the case, the general facts are now all known, and Congress is as capable of deciding on it, justly and properly now, as it probably would be after the report of the commissioners. If the claim of title on the part of Texas appears to Congress to be well founded, in whole or in part, it is in the competency of Congress to offer her an indemnity for the surrender of that claim. In a case like this, surrounded as it is, by many cogent considerations, all calling for amicable adjustment and immediate settlement, the Government of the United States would be justified, in my opinion, in allowing an indemnity to Texas, not unreasonable and extravagant, but fair, liberal, and awarded in a just spirit of accommodation.

"I think no event would be hailed with more gratification by the people of the United States, than the amicable adjustment of questions of difficulty, which have now, for a long time, agitated the country, and occupied, to the exclusion of other subjects, the time and attention of Congress.

"Having thus freely communicated the results of my own reflection, on the most advisable mode of adjusting the boundary question, I shall, nevertheless, cheerfully acquiesce in any other mode which the wisdom of Congress may devise.

"And, in conclusion, I repeat my conviction, that every consideration of the public interest, manifests the necessity of a provision by Congress for the settlement of this boundary question, before the present session be brought to a close. The settlement of other questions, connected with the same subject, within the same period, is greatly to be desired; but the adjustment of this appears, to me, to be in the highest degree important. In the train of such an adjustment, we may well hope that there will follow a return of harmony and good will, an increased attachment to the Union, and the general satisfaction of the country.

"MILLARD FILLMORE.

"WASHINGTON, August 6, 1850."

The recommendations contained in this part of President Fillmore's Message, I most cordially approve. It is known, sir, that I differ as wide as the poles with him upon almost all the other great questions, heretofore in issue between the two great parties of the Union. But the peace of the country, the good will between all sections of that country, the Constitution and the Union of the States, with me, sir, are above all party and above all personal considerations.

I therefore shall give my aid to carry out his recommendations for peace and concord. But, sir, what do I see on the Whig side of the House? Among that portion of them who follow the lead of a distinguished Senator from New York, who says that there is a higher law than the Constitution, which, when it comes in conflict with that instrument, must prevail over it,—sir, I hear that higher law party say they will not compromise; they will not give one inch of what they believe to be free soil to be made slave soil; that Texas has no good title to this Territory; and that they will not vote a dollar to purchase peace or to settle this question, unless they get the boundary line fixed exactly to suit them.

Mr. Speaker, it is becoming more and more evident every day that these ultra men, North and South, are widening the breach and weakening the bonds of this Union. Abolition Free-Soilers say to us, There is no danger, no danger, no danger. This was the song of the members of that great and respectable body of christians composing the Methodist Episcopal Church of the United States. They said day after day, month after month, and year after year, that there was no danger, no danger, no danger. Their affection for their religion was too strong; that they had too much at stake; they would not venture upon so rash an act. The evil that kept up this feeling in this great church, was the identical subject of slavery, which now calls forth the response of "No danger, no danger," from the Free-Soil Abolitionists. They cry "No danger" with a fiendish defiance. But, sir, the evil day did come; and that great church, that was bound together by ten thou-

sand cords of love, was rent assunder; those cords of love were snapped, and now they are twam. They, sir, were bound together by hooks of steel, but they kept open this sectional agitation of slavery. They kept up this same spirit of crimination and recrimination, and talked and preached about the evils of slavery, an evil that the Constitution of the United States had expressly recognized as an existing institution in the southern States, and left exclusively to the control of these States, and one which no act of the Church or State could eradicate, if they had been ever so much disposed to do so. Yet agitation went on; and still the cry was, "There is no danger, no danger." Then I ask, in the name of patriotism, what great national good can come of this interminable excitement and agitation, about an evil that we cannot eradicate without violating the Constitution, and uprooting the very foundations of society and the very Government itself?

But, sir, what more do I hear from this "higher law" party? Why, sir, the honorable gentleman from Pennsylvania, [Mr. STEVENS,] in reply to the honorable gentleman from Massachusetts, [Mr. ASHMUN,] (who had just before addressed the House in the most conservative and patriotic spirit on this subject,)—in speaking of the Texas boundary bill, he says: "Pay ten millions of dollars! For what? To buy peace from armed rebels! This evidence would certainly, *prima facie*, warrant the conclusion that the North were cowards. But you must perceive that to be impossible, when you remember that they are the descendants of the men of Bunker's Hill, of Lexington, of Bennington, of Saratoga, and of Brandywine."

The bitter irony intended by this extract has to be seen, in the manner, before it can be properly appreciated. To call northern men cowards, because they will not rush headlong into a constant crusade against their brethren of the South, is a most happy illustration of the wild, impudent, and arrogant fanatical spirit of Abolition disunionists. Sir, I confess I am too great a coward to fan the flame of discord and civil war among my own countrymen, when I see the wild, reckless, fanatical incendiary rushing recklessly over a magazine of powder, with a lighted torch in his hand. I confess I am too great a coward to stand by and not rebuke the act. When war shall come, I shall be found, I hope, on the side of my country. And wherever the flag of the Union is, there I desire to be. I want the American flag above my head and that of an enemy in front. I do not want to meet my brethren, my countrymen, my friends, displaying the same stars and stripes. But I fear if our folly should plunge us into civil war, that about the firing of the first gun, these peculiar friends of freedom would be chartering a ship to go to some Peace Congress or Convention in Germany!

When, sir, our country is in danger from a foreign foe, then will be the time to test the men of true courage. It is the coward who, in the hour of political trial, fears to take political responsibility. If he is then seen to "tremble, and turn pale, and supplicate," for fear his constituents will not appreciate his patriotism, or understand his honest motives for the public welfare, that is the picture of the real coward and political time-server. It is to my mind no evidence of true courage to hear honorable men say they will never yield one inch; they will not compromise; their minds are fixed, and unchangeable as the laws of the Medes

and Persians. Sir, this is not my notion of true patriotism or of true courage.

But, sir, the honorable gentleman from New York [Mr. CLARKE] attacks the recommendation of his own President—the man he helped to put into the second office within the gift of the American people, and from his own State, and who, by the act of Providence, is now President. He says, to vote this money out of the Treasury to Texas, would be "plunder," "robbery;" "would be robbing the Treasury," "plundering the Treasury." The gentleman belongs, I understand, to that higher-law party in New York, who spare no pains to embarrass President Fillmore. They seek to place him in a dilemma on this Texas boundary question, hoping to destroy him.

Sir, the President asks his political friends and supporters to stand by him, and settle these perplexing questions of territory and slavery. He says:

"I think no event would be hailed with more gratification by the people of the United States, than the amicable adjustment of questions of difficulty, which have now for a long time agitated the country."

He strongly urges that this Texas boundary bill be settled quickly, and urges the "payment to Texas of a reasonable indemnity."

But, sir, this question could be settled but for the influence of the higher-law party of New York. If that State would show herself united, and sufficiently above the influence of mere political gamblers, this whole question could, and would, be settled in one week.

But, sir, on the other hand, we have men in the South who hold the same language on the same subject, only at the other extreme. They say they will not give up one foot of slave soil to make free soil. They say Texas owns every foot of territory this side of the Rio Grande, and that they will not give up one foot. They refuse to coöperate with any compromise unless they get what they say is their right. These men vote on a call of the yeas and nays or by tellers, on these questions of adjustment, with the other extreme men of the North—each holding precisely opposite opinions and principles. This was explained by the honorable gentleman from Mississippi, [Mr. BROWN,] in the same way I have stated, and that is the true reason of this strange association of antagonistic principles to the same end. One of these men of the North will say, "he very much admires these ultra southern men—we know where to find them—they stand up for their section." Turn to the other side, and these southern ultras say, I like such men as _____; they are out and out Free-soil Abolitionists. We know where to find them—they stand up for their section. The northern extremist expresses great contempt for northern "doughfaces," who take moderate conservative ground. The southern extremist expresses his utter contempt for any southern doughface, who may not go the whole length, with the spirit of resistance to the constituted authorities of the Union, in certain cases. It must be remembered at the same time, that these two extremes are, of course, both just exactly right; both are doing just the proper and right thing. Tell either of them that they ask too much, and they will tell you that you are a doughface. Sir, I am proud of the association in which I am placed. I rejoice that I can say, that "I know no North, no South—noting but the Union." I act with men who engender no sectional jealousies, who stir up

no disunion discord, who sympathize with no sectional parties on national issues. Should you, sir, have the timidity to hint that the union of these States was in danger by the continuance of this sectional strife, one of these peculiar friends of freedom will tell you there is "no danger, no danger—the South dare not strike the blow." On the other hand, if you propose to some of the *par excellence friends of southern rights and interests*, to yield their ultimatum of $36^{\circ} 30'$ as a line to divide the free from the slave States, for some other more practicable plan, you are told indignantly, that you are no better than the Abolitionists—that you propose to accomplish the same object, but by more indirect means. This, Mr. Speaker, is the true picture of these extremists of this Congress, North and South.

Mr. Speaker, I call upon the Union men of this House to march up and meet these questions in a spirit of compromise and conciliation. Sir, I hope it will be settled—we shall have no peace until it is adjusted. These brave men, who hold such high-sounding words of courage and defiance, will soon have to meet their constituents: in their hands I leave them. For myself, in the language of a Senator from Massachusetts, I want this vexed boundary line settled, and marked; and I prefer to see it marked with silver, rather than with blood—in yellow lines, rather than in red lines. Sir, I look around me and I find among my own political friends from the South, in whose gallantry and honorable bearing I feel a just pride, and whose courtesy and kindness I have always shared, standing on high, patriotic, constitutional ground, yet they, sir, are becoming willing listeners to the word Disunion.

Mr. Speaker, the difficulty which seems to be in the way of this settlement is to be found, to some extent, in the boundaries proposed in this bill. Some of the northern men say they will vote for it, if the line is brought to the Paso. If this was done no doubt a few more votes could be obtained for the bill. But, on the other hand, the moment such an amendment was adopted, it would lose three times as many southern votes. Therefore, in my view, this change cannot be made. If you make the Rio Grande the boundary from its mouth to its source, as some of the southern men propose, it is known it would lose, in all probability, every northern Whig vote. If you divide the territory by the line of $36^{\circ} 30'$ north latitude, and run that line to the Rio Grande, Texas, in all probability, would not accept, and thus it will be seen that we are surrounded by difficulties on every side. Therefore, in reviewing the whole ground, it seems to be safest to take the bill as it is. It does not please all, nor can it be made to please all. It is a compromise. It does not suit the South entirely. It does not suit the North entirely. It was not expected that it would suit all. The ultra men of the South can never expect that slavery can go north of $36^{\circ} 30'$ north latitude, for slavery has been excluded by the resolution of annexation north of that line. It is in this view of the case, clear, that the only point in dispute in which the slavery question is involved, is that portion of country lying between $36^{\circ} 30'$ north latitude, and what is equal to about $33^{\circ} 30'$ north latitude. This portion of the country is almost entirely occupied by wild beasts and savage Indians. No white man has scarcely ever made his foot-prints upon it, except on the borders of the Rio Grande. What internal resources does it possess, either to the

agriculturist or to the Government, that should give it so much importance in the eyes of the Representatives in the American Congress?

Mr. Speaker, I have no sympathy with that southern chivalry, or with that courage, or patriotism, that is so self-willed, so determined, that it will not yield an inch if even civil war should be the consequence. I frankly say to northern and southern gentlemen, that I would rather see African slavery stretched the full length and breadth of New Mexico, than to see a civil war exist but for a day in this my beloved country. A friend near me [Mr. DURKEE] says that there would then be a continued civil war between master and servant. In such a war I would appoint him commander of the African battalions. But, I want to ask my southern friends where has their spirit of patriotism gone? What do they mean by their ultra course? Do they believe that Texas will maintain her position to the last extremity? Do they believe that Texas will fail to defend her limits and her boundary? No, sir; they firmly believe that Texas will maintain her rights to the last. They firmly believe that the first Federal gun that is fired at Texan troops, would rouse up the indignant spirit of the whole South. They firmly believe that fifty thousand southern soldiers would be under arms, and marching to support Texas, in less than three months. Do they seek the consummation of so dreadful a calamity? Do they seek to see a desolating civil war in which every gun that was fired, would be a funeral note over the destruction of this great Republic? And, I have no hesitation in saying now to this House, that every vote that is cast against this bill, is a vote, indirectly, for civil war. For, sir, Texas has to back out from her position, solemnly taken, or the United States, or the President, has to back out, unless this bill, or some other such, can be passed this session. If not, a collision must inevitably follow. I know something of the gallantry and courage of Texan men and Texan soldiers. I know something of their blood. I know that where the darkest and the thickest and the bloodiest of the fight rages, there Texans have always been found. It must be remembered that Ohio and Michigan once had a disputed boundary question. Both States marched their militia to the border, determined to shed their blood, or maintain their supposed boundary. That was finally compromised. Missouri and Iowa once had a disputed question of boundary. The militia of their respective States was called into service to support their officers and maintain their jurisdiction. This question was finally settled, I believe, by the Supreme Court. Each of these States did precisely what Texas now proposes to do. If I were to-day a Texan, with my present convictions in the justice of her cause, though I would not encourage violence, I would beg my Government to settle the question. I would ask them to submit it to the Supreme Court of the United States. I would ask them to submit it to the arbitration of commissioners. I would ask them to acknowledge the boundaries that we claimed, or I would ask them to indemnify me for the relinquishment of my claim to the territory. If all these failed, if northern fanatics and southern extremists defeated the accomplishment of all these plans of adjustment, I would, as the last resort, "*stand by my arms,*" firm and true. And before my God, I say, if you undertook to take forcible possession of the soil of my State, whether it was the act of the parent Govern-

ment or not, you should do it over my dead body, or I would drive your soldiers from the field. But all such dangers must be avoided; and avoided by the passage of this bill. The people demand this settlement—the voice of the public press demands it. The peace and harmony of the country must be restored.

But, Mr. Speaker, a gentleman this morning, in private conversation, asked me where I got the power under the Constitution to make this arrangement with Texas. To this inquiry I would answer, that the Government is in the habit almost every year of purchasing lots for custom-houses and fortifications, and for every public building or public work. But this question I do not intend to argue. The power to settle these disputes in relation to boundary has been exercised so repeatedly, and appropriations from the Treasury have been made for very similar objects so often, that I shall not now stop to inquire into the constitutional authority. You only propose by this bill to reduce her boundaries; in consideration of which the Government of the United States obligates herself to pay to Texas a certain sum of money. But, sir, if you do not pass this bill, what do you propose to do? Do you propose, after nine months angry and excited discussion, to go home to your constituents and tell them you have done nothing? That your stubborn, uncompromising will could not be suited in the precise boundary? Or will you tell them that you preferred to keep this question of sectional agitation open?—that you preferred to let discord reign forever? It is an easy matter, Mr. Speaker, to pull down, to find fault, to complain; but it is much more difficult in legislation to build up than to destroy. Then, Mr. Speaker, if the two extreme opinions in this House can, by combining their discordant materials together, destroy and defeat this bill, in the language of the President, there is no telling “the evil or the end.”

But I hear that soothing word, “*there is no danger!*” Here I must adopt the language of my esteemed friend from Michigan, [Mr. BUEL,] in his oration before the Alumni of Middlebury College, Vermont, upon the occasion of their late semi-centennial celebration:

“ Yet we cannot shut our eyes to the fact that excitement and agitation have brought us near to a dreadful extremity in our affairs, and the good, the wise, the patriotic men of all parties are solemnly called on to stand up and arrest the ominous course of events ere we shall have passed the Iberus of our safety. Be not deceived. It is a syren voice which tells us there is no danger. Is there no danger, when States begin to think of forming leagues for the overthrow of the Government? No danger, when treason can be safely plotted in the street and in our legislative halls? No danger, when the American people can look complacently upon the horrors of a threatening civil war that has no end to human view? No danger, when the wheels of Government have been almost stopped? Will there be no danger when American mothers, from real or imaginary wrongs, shall teach their children to hate the American Union, and lisp familiarly that terrible word “dissolution?” If such a future must come, let us not mar the happy and glorious present with its direful anticipation. Let us not hasten that period when we can no longer claim protection under such words as these: ‘I am an American citizen.’ Let us desire to hold no prophetic wand which shall enable us so far to elevate ourselves above the hopes and sympathies of our fellow-citizens that we cannot rejoice with them over the present greatness of our country. Let us seek for no prophet’s power, which shall enable us to lift the veil of the dark and mysterious future, that we may expose to our own startled vision the American Republic in fragments. For myself, I will hug no infernal spirit, which, in its fitful wanderings, shall conduct me down, down, down to the grave of republican freedom, there to behold the buried ashes of my country.

“ Who would preserve this brotherhood of States, must himself practice the spirit of brotherhood. Who would

transmit to his children the glorious legacy of his forefathers, must swear by their blood, their sufferings, and by the spirits of the illustrious dead, to defend it against all assaults. Who would preserve the Constitution, as the great fraternal compact which binds these States together, and has already elevated us to the highest point of national happiness and renown, must swear to stand by it in its terms and spirit, and resist to the last that domestic fanaticism which now threatens its violation and overthrow. We have thus far conquered every foreign foe, but we have now to conquer ourselves—*our own fratricidal arms.*

“ Let us never forget that the American Union was born by fraternity, and it must live by fraternity, or perish by DISCORD, CIVIL WAR, and DISSOLUTION.”

You cannot dissolve this Union in a month, in two months, in two years, or in five; but you can continue this sectional agitation and sectional strife until you will have alienated the affections of the North from the South—that instead of meeting upon this floor as friends and brethren of a common country, you will meet here as enemies. This sectional animosity has already gone so far as nearly to destroy the cordiality and respect that we should feel one for another.

Mr. Speaker, I want to see if the Whig party are going to sustain their President—I want to see if they are going to respect his warning voice. If they do, we may yet have peace.

Sir, for the second time during this session of Congress we have had thrust upon us by the same individual, the so-called Wilmot proviso. I am ready to meet it. The honorable gentleman from Ohio [Mr. Roor] says that he wants the yeas and nays called on his proviso, that he “may smoke out the doughfaces.”

Sir, I am ready to meet this question, either now or hereafter. I have only one desire on the subject, and that is, that this wicked torch of discord shall be put to rest forever. I have said before to my constituents, and I now repeat, that the Wilmot proviso was “conceived in sin and brought forth in iniquity.” It was offered to a bill to raise money to purchase bread, and meat, and clothing and supplies for the army in Mexico. It was intended, also, to prevent the acquisition of territory. If it had passed both the legislative branches of the Government, we never could have obtained indemnity for our losses in carrying on the war; and California, now, would have been a province of Mexico, or an independent Republic. It would have prevented the ratification of any treaty by which our Government would have acquired territory. If it had passed into a law, it would have prolonged the war—it would have withheld the soldiers’ meat and bread. This is no fancy picture; it is plain truth universally known. Then, sir, its beginning was wicked and unpatriotic. Its race has been mischievous—it has spread discord in its track, and its end will be infamous.

My doctrine is, to trust the people with political power; and I say that the politician or public servant who refuses to trust the people, is unfit and unworthy to be trusted himself. The people of these Territories know as well what is most conducive to their welfare as does this Congress; they have the evil to bear, and not we, if they impose it upon themselves. They possess quite as much good, hard, common sense, as we do; they have that kind of “horse sense,” (if I may be allowed to use a western term,) that has but few words, but they to the point. I say, sir, *I am for trusting the people* with all those political questions, and I hold no political communion with any party, or set of men, who propose to wrest power from the hands of the people, to be exercised by any legislative body on earth. These peculiar champions

of freedom set up their will as the best rule of action for the people of the Territories. Your Free-Soil Abolitionists are free to trust the people with the power to regulate the relations between husband and wife, parent and child, guardian and ward, but they are ready to involve the whole nation in civil war, if the people desire to be permitted to regulate the further domestic relation of master and servant. But the fact that Abolitionists refuse to trust the people with this political power, evidences to my mind that they have some ulterior design, and are unsafe repositories of power themselves. I will not trust any politician who refuses to trust my constituents, or who refuses to trust the welfare of any community of Americans in their own hands. I say then, my motto is now and forever, TRUST THE PEOPLE WITH THE POWER TO GOVERN THEMSELVES IN THEIR OWN WAY. I then repeat to my political friends, plant yourselves on this issue, and don't let Free-Soil Abolition agitators dodge the issue. Make them affirm or deny the capacity of the people for self-government. I say, sir, there is no other issue in the whole principle of the Wilmot proviso, but this one. Politicians must either say they will, or they will not trust the people, and my word for it, the man who says he will not trust them is a doomed man, politically. Truth and right, and republican principles, must and will prevail. And, sir, the Representative who fears that he cannot satisfy his constituents of the truth and right, either doubts their honesty or his capacity. I think I know something of the feelings and sympathies of the people. I know them—I am one of them—I have trusted them. They will do right, if they know what the right is.

The doctrine that the people cannot be trusted, is the doctrine of despotism and monarchy. It was adopted by the high-toned Federalists at the origin of our Government, and it is at war with the great principles of Democracy.

Mr. GIDDINGS. Will the gentleman allow me to inquire whether, when he speaks of trusting the people, he means people of all complexions?

Mr. GORMAN. I mean white men. The gentleman from Ohio [Mr. Root] speaks of "dough-faces." I suppose he does not intend this remark to apply to me personally. But I propose to inquire what this word means. If it is intended to mean a person who wears a false face, then I understand it. If it is intended to mean one who carries a face before and behind, then I understand it. But the gentleman could not have intended, of course, to apply it to me. I suppose it was a mere *ad captandum* expression. But if it is now or hereafter intended to apply to me, in any offensive sense, either to impugn my character as a man, or my integrity as a politician, it comes from the heart of a coward. Sir, I mean what I say. This epithet has gone the rounds of the press, and in and out of this House. I understand it to be used as an epithet of disrepute; therefore, when any member

feels disposed to apply this epithet to me, with a view of throwing reproach upon my integrity, the heart that conceives, and the tongue that utters it, is cowardly beyond the reach of redemption. And let him who uses it wear this remark in his pocket, until he feels disposed to resent it. But, Mr. Speaker, I have sought this opportunity of placing this matter where it deserves to be placed, and where it must rest, so far as I am concerned. I use no language toward any gentleman that I am not responsible for, and if I unjustly wound the feelings of any man, I am ever ready to make the most ample apology.

Sir, I have reviewed briefly the ground upon which this bill rests. I have shown the difficulties in the way of its settlement.

In conclusion, I wish to say to my friends, Democrats and Whigs, and especially gentlemen from the northwestern States, We know our constituents are not blinded by prejudice or passion—we know the great stake they have in this Union—we know they want these vexed questions of territory and slavery settled. They love peace and concord, and, although no one section of this bill may please us fully, yet we can afford to compromise, in a spirit of patriotism, for the restoration of quiet and harmony. This I believe is what our people require and demand of us; and I am deceived if they will be satisfied with less.

NOTE.

Since the foregoing remarks were made in the House, the following letter from Governor Quitman, of Mississippi, has been received, and will show the excited state of public feeling in the South, in relation to this Texas boundary:

From the Mississippian.

Governor Quitman's position in regard to the threatening attitude assumed by the President towards Texas.

JACKSON, August 18, 1850.

MY DEAR SIR: Your note of yesterday, calling my attention to the comments of the *Vicksburg Whig* upon an article in the *Sentinel* of Thursday last, was received late last night.

I find nothing in your article to justify the comments of the *Whig*, especially after the *Mississippian*, of the 19th July had defined my position upon this subject. I therefore see no reason to avail myself of your kind and obliging offer to deny that you spoke by authority from me. Desiring no concealment, I have no objection that it should be known that I believe the title of Texas to the territory claimed by her on this side of the Rio Grande to be indisputable; that the forcible seizure of any part of this territory by the national Executive would be a wanton act of despotism, which should be sternly resisted by Texas; that, as the evident purpose of this movement is to convert a portion of her territory to free soil, the southern States should make common cause with Texas; and that, in the event of a collision of arms, or great danger thereof, I would deem it my duty to convene the Legislature of this State, and recommend to them the adoption of prompt and efficient measures to aid our sister State in the maintenance of her clear rights against Federal usurpation. Nor have I a doubt that, in so doing, I shall conform to the will of the great mass of the people of this State.

I remain, very respectfully, your friend and obedient servant,

J. A. QUITMAN.

F. C. JONES, Esq., *Editor of the Vicksburg Sentinel.*